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EXAMINER
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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

	Application No.	Applicant(s)	
Office Action Summary	10/774,630	MIZUTANI ET AL.	
	Examiner	Art Unit	
	NATHAN HILLERY	2176	

-- *The MAILING DATE of this communication appears on the cover sheet with the correspondence address* --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE <u>3</u> MONTH(S) OR THIRTY (30) DAYS,
WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed
  after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
  Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any
  earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on <u>09 April 2008</u>.

2a)☐ This action is **FINAL**.   2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is
closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) <u>1-18</u> is/are pending in the application.

    4a) Of the above claim(s) <u>17</u> is/are withdrawn from consideration.

5)☐ Claim(s) <u>5</u> is/are allowed.

6)☐ Claim(s) <u>1-4,8-16 and 18</u> is/are rejected.

7)☐ Claim(s) <u>6 and 7</u> is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a)☐ All   b)☐ Some * c)☐ None of:

      1.☐ Certified copies of the priority documents have been received.

      2.☐ Certified copies of the priority documents have been received in Application No. _____.

      3.☐ Copies of the certified copies of the priority documents have been received in this National Stage
application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1)☒ Notice of References Cited (PTO-892)

2)☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3)☐ Information Disclosure Statement(s) (PTO/SB/08)
    Paper No(s)/Mail Date _____.

4)☐ Interview Summary (PTO-413)
    Paper No(s)/Mail Date. _____.

5)☐ Notice of Informal Patent Application

6)☐ Other: _____.

DETAILED ACTION

1.   This action is responsive to communications: RCE filed on 4/9/08.

2.   Claims 1 – 18 are pending in the case. Claims 1, 8, 12, 16 and 18 are

independent with claims 1 – 16 and 18 having been elected at this time.

Claim Rejections - 35 USC § 103

3.   The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all

obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set
> forth in section 102 of this title, if the differences between the subject matter sought to be patented and
> the prior art are such that the subject matter as a whole would have been obvious at the time the
> invention was made to a person having ordinary skill in the art to which said subject matter pertains.
> Patentability shall not be negatived by the manner in which the invention was made.

4.   Claims 1 – 3, 8 – 10, 12 – 14, 16 and 18 are rejected under 35 U.S.C. 103(a) as

being unpatentable over Nielsen (Designing Web Usability) and further in view of Ryan

(US 20030152207 A1).

5.   **Regarding independent claim 1,** Nielsen teaches that spoken words are

sometimes harder to understand, especially if the speaker is sloppy, has a dialect,

speaks over a distracting soundtrack, or simply speaks too quickly. The classic solution

to these problems is to use subtitles (p 1, fourth full paragraph), which meet the

limitation of **a text display time calculation processing unit being configured to**

calculate a display time period of text media to be included in output multimedia

contents on the basis of conversion instruction information;

Nielsen teaches that traditional subtitles look good on a full-sized videotape.

Unfortunately, the subtitles are virtually unreadable when the video is reduced to the

size usually transmitted over the Internet (left image). Much better readability is gained

from placing the subtitles in a letterbox and sizing them for computer viewing (right image) (p 2, second full paragraph), which meet the limitation of **a spatiotemporal layout information setting processing unit being configured to set spatiotemporal layout information on said output multimedia contents on the basis of said conversion instruction information**; and

Nielsen teaches that we can save download time by transmitting the subtitles as ASCII (or Unicode) and have them rendered in the letterbox on the client machine: a perfect job for an applet. It should also be possible to have the user select the language for the subtitles through a preference setting or a pop-up menu (p 2, last paragraph), which meet the limitation of **said spatiotemporal layout information is configured to set processing unit setting a display time period of said text media included in said spatiotemporal layout information, on the basis of said display time period of said text media calculated in said text display time calculation processing unit, and set a playing time period of said media other than said text media included in said spatiotemporal layout information, on the basis of said display time period of said text media set as said spatiotemporal layout information**.

Nielsen does not explicitly teach **a contents conversion processing unit being configured to convert input multimedia contents, including text media and media other than the text media, oriented to personal computer to be displayed on a screen of the personal computer with a predetermined size into said output multimedia contents oriented to portable terminal to be displayed on a screen of**

the portable terminal with a size smaller than said predetermined size on the basis of said spatiotemporal layout information.

However, Nielsen does teach that to preserve the feeling of user control, even when presenting multimedia, try segmenting longer presentations into short chapters that can be chosen from a menu. When converting a television news program to the Web, for example, break the program into one segment for each news story (p 2, third full paragraph).

Ryan teaches that streaming is a method of distributing particularly sound and/or video files over the Internet that permits the information to be viewed or heard as it is downloaded to a computer terminal. Most current streaming technology formats require software which can convert a standard video, audio or multimedia computer file into a streaming format and software on the receiving computer terminal to permit playback of the formatted file. If one of the parties wishes the other party to view a streaming video, it might be integrated into a video phone call by computers having a video camera and streaming video software installed (paragraph block 0080).

Therefore the combination of the teachings of Nielsen and Ryan meet the limitation of **a contents conversion processing unit being configured to convert input multimedia contents, including text media and media other than the text media, oriented to personal computer to be displayed on a screen of the personal computer with a predetermined size into said output multimedia contents oriented to portable terminal to be displayed on a screen of the portable terminal**

with a size smaller than said predetermined size on the basis of said

spatiotemporal layout information.

Because both Nielson and Ryan teach systems that integrate multimedia with

web pages, it would have been obvious to one of ordinary skill in the art at the time of

the invention to try the combination of solutions disclosed by Nielson and Ryan with a

reasonable expectation of success.

6.   **Regarding dependent claim 2**, Nielsen teaches that traditional subtitles look

good on a full-sized videotape. Unfortunately, the subtitles are virtually unreadable

when the video is reduced to the size usually transmitted over the Internet (left image).

Much better readability is gained from placing the subtitles in a letterbox and sizing

them for computer viewing (right image). Doing so does not increase the file size

proportionally because the black area compresses very nicely (p 2, second full

paragraph), which meet the limitation of **said text display time calculation**

processing unit calculates said display time period of said text media to be

included in said output multimedia contents, on the basis of text information

obtained from said input multimedia contents and text display from information

inputted as said conversion instruction information.

7.   **Regarding dependent claim 3**, Nielsen teaches that to preserve the feeling of

user control, even when presenting multimedia, try segmenting longer presentations

into short chapters that can be chosen from a menu. When converting a television news

program to the Web, for example, break the program into one segment for each news

story. Then, prepare a standard web page that lists the stories with a short summary

and a single thumbnail photo from the most visual ones. Allow users to link to individual

stories from this page (p 2, third full paragraph), which meet the limitation of **said**

spatiotemporal layout information setting processing unit sets a playing time

period of said media other than said text media included in said spatiotemporal

layout information to coincide with said display time period of said text media set

as said spatiotemporal layout information.

8.   **Regarding claims 8 – 10, 12 – 14, 16 and 18**, the claims incorporate

substantially similar subject matter as claims 1 – 3 and are rejected along the same

rationale.

9.   Claims 4, 11 and 15 are rejected under 35 U.S.C. 103(a) as being unpatentable

over Nielsen (Designing Web Usability) and Ryan (US 20030152207 A1)as applied to

claims 1, 8 and 12 above, and further in view of Oliver et al. (Sams Teach Yourself

HTML and XHTML).

10.   **Regarding dependent claim 4**, Nielsen teaches that to preserve the feeling of

user control, even when presenting multimedia, try segmenting longer presentations

into short chapters that can be chosen from a menu. When converting a television news

program to the Web, for example, break the program into one segment for each news

story (p 2, third full paragraph), which meet the limitation of **a segment playing time**

setting unit for setting a playing time period of each of segments of said media

other than said text media to be included in said output multimedia contents;

Nielsen teaches that then, prepare a standard web page that lists the stories with

a short summary and a single thumbnail photo from the most visual ones. Allow users to

link to individual stories from this page (p 2, third full paragraph), which meet the

limitation of **a total playing time calculation unit for calculating a total playing time**

period of all said segments of said media other than said text media on the basis

of said playing time period of each of said segments of said media other than

said text media set in said segment playing time setting unit;

Nielsen does not explicitly teach **a repeat count setting processing unit for**

setting a repeat count of said media other than said text media on the basis of

said display time period of said text media calculated in said text display time

calculation processing unit and said total playing time period of all said segments

of said media other than said text media, nor **said contents conversion**

processing unit making a conversion of said media other than said text media

included in said input multimedia contents on the basis of said repeat count set

in said repeat count setting processing unit.

Oliver et al. teach that The HTML page in Figure16.3 demonstrates the use of

<embed /> with a video clip in the Windows AVI (Audio-Video Interleave) format. The

<embed /> tag in Figure 16.3 also includes the autostart and loop attributes, which tell

Netscape's LiveVideo plug-in to start playing the video when the page loads and to

repeat it as long as the page is being displayed (p 1, first paragraph), which meet the

limitation of **a repeat count setting processing unit for setting a repeat count of said media other than said text media on the basis of said display time period of said text media calculated in said text display time calculation processing unit and said total playing time period of all said segments of said media other than said text media,**

Oliver et al. teach that the <embed /> tag in Figure 16.3 also includes the autostart and loop attributes, which tell Netscape's LiveVideo plug-in to start playing the video when the page loads and to repeat it as long as the page is being displayed. Figure 16.4 shows the resulting page as viewed with Netscape 4 (p 1, first paragraph), which meet the limitation of **said contents conversion processing unit making a conversion of said media other than said text media included in said input multimedia contents on the basis of said repeat count set in said repeat count setting processing unit.**

It would have been obvious to one of ordinary skill in the art at the time of the invention to combine the teachings of Nielsen and Ryan with that of Oliver et al. because such a combination would provide the users of Nielsen and Ryan with the benefit of an advanced method of Embedding Video in a Web Page (pp 1 and 2).

11.   **Regarding claims 11 and 15**, the claims incorporate substantially similar subject matter as claim 4 and are rejected along the same rationale.

Response to Arguments

12.   Applicant's arguments with respect to claims 1 – 18 have been considered but

are moot in view of the new ground(s) of rejection.

Allowable Subject Matter

13.   Claim 5 is allowed.

14.   Claims 6 and 7 are objected to as being dependent upon a rejected base claim,

but would be allowable if rewritten in independent form including all of the limitations of

the base claim and any intervening claims.

Conclusion

Any inquiry concerning this communication or earlier communications from the

examiner should be directed to NATHAN HILLERY whose telephone number is

(571)272-4091. The examiner can normally be reached on M - F, 10:30 a.m. - 7:00

p.m.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's

supervisor, Doug Hutton can be reached on (571) 272-4137. The fax phone number for

the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the

Patent Application Information Retrieval (PAIR) system. Status information for

published applications may be obtained from either Private PAIR or Public PAIR.

Status information for unpublished applications is available through Private PAIR only.

For more information about the PAIR system, see http://pair-direct.uspto.gov. Should

you have questions on access to the Private PAIR system, contact the Electronic

Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a

USPTO Customer Service Representative or access to the automated information

system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Nathan Hillery/
Primary Examiner, Art Unit 2176

NH